



EXTRAORDINARY

PART I—Section 1

PUBLISHED BY AUTHORITY

No. 163] NEW DELHI, SATURDAY, APRIL 19, 1952

GOVERNMENT OF DELHI

Law, Judicial and Legislative Department.

Delhi, the 19th April 1952.

No. 52-L.—In exercise of the powers conferred by sub-section (2) of Section 32 of the Government of Part C States Act, 1951 (XLIX of 1951), the Chief Commissioner, Delhi, is pleased to direct that until the Legislative Assembly of Delhi has made rules for regulating its procedure and the conduct of its business under sub-section (1) thereof, the Rules of Procedure of the U.P. Legislative Assembly, made by the U.P. Legislative Assembly, in pursuance of the provisions of clause (1) of Article 208 of the Constitution, shall have effect in relation to the Legislative Assembly of Delhi subject to the following modifications and adaptations, namely:—

1. Throughout the Rules—

- (a) for the words "Uttar Pradesh" the word "Delhi" shall be substituted; and
- (b) for the word "Governor", except where otherwise provided, the words "Chief Commissioner" shall be substituted;

2. In rule 2—

(i) in sub-rule (1)—

- (a) the following definition shall be inserted at the beginning, namely:—
‘Act’ means the Government of Part C States Act, 1951;
- (b) definition of “Council” shall be omitted;
- (c) definition of ‘Gazette’ shall be omitted;
- (d) the definition of ‘Joint Select Committee’ shall be omitted;
- (e) in the definition of ‘Member’ the words “or a member of the Council, as the case may be,” shall be omitted;
- (f) in the definition of ‘Member in charge of the Bill’, the words ‘or when the Bill has been transmitted from the Council, the Minister or the member who has given notice of his intention to move that the Bill be taken into consideration’ shall be omitted;
- (g) in the definition of ‘Private Member’ the word “Speaker” shall be inserted after the word “Minister”;
- (h) in the definition of ‘Prorogue’ for the words, figures, brackets and letter, “clause (2) (a) of Article 174 of the Constitution” the words, figures, brackets and letter “sub-section (2)(a) of section 9 of the Act” shall be substituted; and

(ii) in sub-rule (2) after the word “Constitution” where it occurs at both places the words “and the Act” shall be inserted.

3. For the heading “Summons to Members and Seating arrangement” in chapter II shall be substituted as under:—

“COMMENCEMENT OF THE ASSEMBLY SESSIONS”.

4. For sub-rule (1) of Rule 3 the following shall be substituted, namely:—
 “(1) Summoning of the Assembly:—
 “(1) When the assembly is summoned to meet under sub-section (2) of section 9 of the Act the Secretary shall intimate to each member the time and place of the meeting”.

5. For Rule 4 the following shall be substituted, namely:—
 “4. Appointment of chairman by the Chief Commissioner.—At the beginning of a new assembly, and if at any other time the office of Speaker is vacant and there is no person authorised and able to preside over the assembly, the Chief Commissioner may appoint from amongst its members a chairman to preside at the meeting of the assembly until a Speaker has been duly elected.”

6. In the proviso to sub-rule (1) of rule 5, for the word “fifteen” the word “seven” shall be substituted.

7. In the proviso to sub-rule (1) of rule 6, for the word “fifteen” the word “seven” shall be substituted.

8. In sub-rule (1) of rule 7, for the word “ten” the word “four” shall be substituted.

9. (i) Rule 10 shall be renumbered as sub-rule (1) of Rule 10 and a new sub-rule (2) shall be added as under:—
 “(2) The members shall sit in such order as the Speaker may determine.”
 (ii) in sub-rule (3) for the word “received” the words “having been received” shall be substituted.

10. In rule 12—
 (a) for the words, letters and brackets “Article 189(3) of the Constitution” the words, letters and brackets “sub-section (4) of section 15 of the Act” shall be substituted; and
 (b) for the words “one-third of the total number of” the word “sixteen” shall be substituted.

11. Rule 14 shall be deleted.

12. In Rule 16, for the words, figures and brackets “Article 175(2) of the Constitution” occurring at both places, the words and figures “section 12 of the Act” shall be substituted.

13. In Rule 16, for the words, figures and brackets “Article 175(2) of the Constitution”, the words and figures “section 12 of the Act” shall be substituted.

14. In Rule 23—
 (i) in sub-rule (2) for the figures “12” the figure “7” shall be substituted.

15. In Rule 32, in condition (17) for the words “either House of the State Legislature”, the words “the Assembly” shall be substituted.

16. In rule 42—
 (i) in sub-rule (1) for the words “two days” the words “one day” shall be substituted.
 (ii) in the proviso to sub-rule (1) the words “Wednesday or a” shall be omitted.

17. In sub-rule (i) of rule 49, for the figures “10” the figure “8” shall be substituted.

18. Rule 63 shall be deleted.

19. In sub-rule (3) of rule 71, for the words “one-twelfth of the total number of members of the House for the time being” the words “twelve members” shall be substituted.

20. In sub-rule (1) of rule 75, for the word “twelve” the word “eight” shall be substituted.

21. In rule 90, for the words “previous sanction or recommendation of the President or the Governor” the words “previous sanction of the President or the Chief Commissioner or the recommendation of the Chief Commissioner” shall be substituted.

22. In sub-rule (2) of rule 91—
 (a) after the word “President” where it occurs, for the first time, the words “or the Chief Commissioner” shall be inserted; and

(b) for the words and commas "the President or the Governor, as the case may be," the words "the Chief Commissioner" shall be substituted.

23. In sub-rule (1) of Rule 92, for the word "twelve" the word "eight" shall be substituted.

24. In clause (a) of sub-rule (2) of Rule 92, for the words and figures "Articles 200 and 201 of the Constitution" the words and figures "Section 26 of the Act" shall be substituted.

25. In clause (b) of Rule 95, the words "or to a Joint Select Committee" shall be deleted.

26. In sub-rule (2) of Rule 96, the words "or a Joint Select Committee" shall be deleted.

27. In Rule 97, the words, "or a Joint Select Committee" wherever they occur, shall be deleted.

28. In rule 98, the words "or a Joint Select Committee" shall be deleted.

29. In sub-rule (2) of Rule 99, for the figures "20" and "19" the figures "7" and "6" respectively shall be substituted.

30. In sub-rule (7) of Rule 100, for the words "one-third" the words "one-half" shall be substituted.

31. In the heading to Rule 106 the words "or Joint Select Committee" shall be omitted.

32. The heading "(E) Joint Select Committee" and Rules 107, 108, 109 and 110 shall be deleted.

33. In Rule 113—

(a) in the heading and sub-rule (1) after the word "President" the words "or the Chief Commissioner" shall be inserted;

(b) in sub-rule (2)—

(i) after the word "President" where it occurs for the first time, the words "or the Chief Commissioner" shall be inserted, and

(ii) the word "President" where it occurs for the second time and the words "as the case may be" shall be omitted.

34. In Rule 120, the words, figures and brackets "In the case of Money Bill he will endorse a certificate under Article 199(4) of the Constitution" shall be deleted.

35. Rule 121 shall be omitted.

36. The heading "(H) Procedure on return of Bills from the Council" and Rules 122, 123, 124, 125, 126, 127, 129 and 130 shall be omitted.

37. For Rule 131, the following shall be substituted:—

"131. Assent to Bill and publication of Bill as Act—When a Bill has been signed by the Speaker, it shall be submitted to the Chief Commissioner for President's assent. After the President's assent has been given, it shall be published in the Gazette as an Act of the Delhi Legislative Assembly assented to by the President."

38. For rule 132, the following shall be substituted namely:—

"132. Along with the signed copy under rule 120, a note showing the verbal and consequential amendments or rectification of errors made in the Bill shall also be submitted to the Chief Commissioner. A copy of these alterations shall be placed on the table of the Assembly prior to the announcement of the President's assent".

39. The heading "(J) Procedure regarding Bills introduced in the Council" and Rules 133, 134, 135, 136, 137, 138, 139 and 140 shall be omitted.

40. The head "(M) Governor's Ordinances and Rule 144 shall be deleted.

41. In Rule 145, for the figures and letters "1/5th" where they occur at both the places, the figures and letters "1/3rd" shall be substituted.

42. In sub-rule (2) of Rule 146—

(a) for the figures "10" and "15", the figures "7" and "10" respectively shall be substituted; and

(b) for the figures and letters "1/5th" at both places, the figures and letter "1/3rd" shall be substituted.

43. In sub-rule (1) of rule 153—

(a) for the word "twenty" the word "ten" shall be substituted, and

(b) the words "before 10th of May every year" shall be omitted.

44. Rules 155 and 156 shall be omitted.

45. In Rule 157, for the words and figures "Article 205 of the Constitution" the words and figures "section 31 of the Act" shall be substituted.

46. In Rule 158, for the words and figures "Article 203 of the Constitution" the words & figures "section 29 of the Act" shall be substituted.

47. In the Explanation to rule 159, for the word "Constitution" the word "Act" shall be substituted.

48. In Rule 160, for the words "on the tables of the Legislature" the words "table of the Assembly" shall be substituted.

49. In sub-rule (2) of rule 161, for the figures "15" and "14", the figures "8" and "7", respectively, shall be substituted.

50. In sub-rule (2) of rule 163, for words "twenty-one" and "twenty" the words "nine" and "eight", respectively, shall be substituted.

51. In Rule 165—

- (a) in sub-rule (2) for the figures "25", the figures "10" shall be substituted, and
- (b) in sub-rule (6) for the word "six" the word "five" shall be substituted.

52. For Rule 168, the following shall be substituted, namely—

"168. Language of the Assembly—The business of the Assembly shall be transacted in English or in Hindi or in the language or languages in use in the State of Delhi as may be adopted by law as the official language or languages of the State."

53. In Rule 171—

- (a) in the heading after the word "Prorogation" the words "and Dissolution" may be inserted;
- (b) rule 171 may be re-numbered as sub-rule (1) and the following may be added as sub-rule (2), namely:—

"(2) A Bill which is pending in the Assembly shall lapse on a dissolution of the Assembly".

54. In Rule 173, clause (x) shall be omitted.

55. In sub-rule (1) of Rule 175, for the words and figures "Article 204 of the Constitution" the words and figures "Section 30 of the Act" shall be substituted.

56. In sub-rule (2) of rule 182, clause (v) shall be substituted as under:—

- "(v) reflect upon the conduct of the President or any Governor or any Rajpramukh or any Lt. Governor or any Chief Commissioner or any Court of Justice."

57. In Rule 191, in sub-rules (1) and (5) for the words, figures and brackets "Article 190(4) of the Constitution" the words, figures and brackets "sub-section (3) of section 16 of the Act" shall be substituted; and

58. Sub rule (3) of rule 194 shall be deleted.

59. In sub-rule (2) of Rule 195, for the words "six weeks" the words "two months" shall be substituted.

60. In Rule 199, for the word "fifteen" the word "ten" shall be substituted.

61. In Rule 200, for the words "one-fifth" where they occur at both places, the words "one-third" shall be substituted.

62. In rule 214, the words "Joint Select Committees" shall be omitted.

63. In Rule 217 for the words "Legislature of the State" the words "Parliament or of the Assembly" shall be substituted.

64. In Rule 218 the word "and the President for their information" shall be omitted.

65. In sub-rule (1) of Rule 219, for the words "Legislative" the word "Law" shall be substituted.

The text of the Rules* as modified and adopted is shown as an annexure to this notification.

M. L. VIJH, Secy.

*Rules will appear as an annexure separately on 21st April, 1952, in Extra-ordinary Gazette, Pt. I—Sec. 1.